



TOLL BRIDGE PROGRAM OVERSIGHT COMMITTEE

CALTRANS BAY AREA TOLL AUTHORITY CALIFORNIA TRANSPORTATION COMMISSION

MEETING MINUTES

December 23, 2008, 10:00 AM – 1:00 PM
Mission Bay Office, Conference Room 1906,
325 Burma Road, Oakland

Attendees: TBPOC Members: Steve Heminger, John Barna, and Randy Iwasaki (for Will Kempton)
PMT Members: Tony Anziano, Andrew Fremier, and Stephen Maller
Participants: Michele DiFrancia, Mike Forner, Beatriz Lacson, Peter Lee, Brian Maroney, Dan McElhinney, Bart Ney, Paul Pendergast (Pendergast & Associates), Derek Pool, Pete Siegenthaler, Mark Shindler, Ken Terpstra, and Jason Weinstein

Convened: 10:09 AM

Items	Action
<p>1. CHAIR'S REPORT</p> <p>Steve Heminger presided over the meeting in the absence of Will Kempton, the Chair, and referred to the previous week's BATA Commission meeting during which the seismic retrofit of the Dumbarton and Antioch Bridges was discussed.</p> <p>Discussion/comments included:</p> <ul style="list-style-type: none">• Rick Land did a good job presenting the technical issues relating to the bridges at the Commission meeting.• The inclusion of the two bridges in the TBSRP will require a change in State law and possibly new legislation for additional funding.• John Barna cautioned about ensuring that TBSRP contingency funding is made available for the future retrofit of these two bridges, as there is a direct correlation between the decisions the TBPOC makes regarding contingency and the ability to continue with these projects.• Tony Anziano gave a brief update and indicated that the team will run	

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Items	Action
<p>the cost estimates again and report back to the TBPOC in February.</p> <ul style="list-style-type: none"> • Steve Heminger noted that the teamwork on this effort is a good example of a successful, inter-agency collaboration. • Randy Iwasaki, acting for the absent Will Kempton, the Chair, added his kudos to the team, and extended his holiday greetings to all. 	<ul style="list-style-type: none"> • The team to provide periodic updates to the TBPOC on the status of the Dumbarton/Antioch Bridges.
<p>2. CONSENT CALENDAR Andy Fremier presented the following for TBPOC approval:</p> <ul style="list-style-type: none"> a. November 6, 2008 TBPOC Meeting Minutes b. November 14, 2008 TBPOC Conference Call Minutes c. 2009 TBPOC Meeting Calendar - (revised to show changes to the January and February meetings) 	<ul style="list-style-type: none"> • The TBPOC APPROVED the following items, as presented: <ul style="list-style-type: none"> ○ November 6, 2008 TBPOC Meeting Minutes; ○ November 14, 2008 TBPOC Conference Call Minutes; ○ 2009 TBPOC Meeting Calendar (as of December 23, 2008).
<p>3. PROGRESS REPORTS</p> <ul style="list-style-type: none"> a. Andy Fremier reported that the PMT approved the November 2008 Monthly Progress Report, through delegated TBPOC authority, on December 2, 2008 and requested confirmation of this approval. b. Andy Fremier presented the draft December 2008 Monthly Progress Report, for information, and indicated that as soon as updated expenditure data and the latest comments are incorporated, the final version will be approved by the PMT through delegated TBPOC authority. c. Andy Fremier presented, for TBPOC approval, the FHWA 2008 Annual Update to the Financial Plan of the East Span of the San Francisco-Oakland Bay Bridge Seismic Safety 	<ul style="list-style-type: none"> • The TBPOC confirmed APPROVAL of the November 2008 Monthly Progress Report through delegated authority to the PMT. • The TBPOC APPROVED the FHWA 2008 Annual Update, as presented.

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Items	Action
<p>Project.</p> <ul style="list-style-type: none"> The annual update reflects information similar to that in the TBSRP 3rd quarter report, but with a more detailed cash flow for program expenditures consistent with BATA's current Plan of Finance. Will Kempton, the Chair, has sent a written request to the new FHWA Administrator and there is a realistic chance that the FHWA will accept the Program's quarterly reports as fulfilling their reporting requirements in the future. 	
<p>4. PROGRAM ISSUES</p> <p>a. TY Lin Insurance Update</p> <ul style="list-style-type: none"> Tony Anziano reported that TY Lin recently purchased a \$25M policy for \$4M. <ul style="list-style-type: none"> It is assumed that the TBPOC will be asked to contribute toward this expense. It would be in the Program's best interest to participate in the Joint Venture's insurance cost, but the exact amount is still to be determined. <p>b. Education Program Partnership Update</p> <ul style="list-style-type: none"> Bart Ney, on behalf of the Educational Outreach Subcommittee, provided handouts and gave a presentation on the 2009 SFOBB Educational Outreach Pilot Program. <ul style="list-style-type: none"> The Program is part of the Department's overall effort to encourage student interest and participation in engineering programs. It includes: <ul style="list-style-type: none"> classroom presentations, a multi-tiered program with Lawrence Hall of Science, supporting Caltrans Summer 	<ul style="list-style-type: none"> The PMT to accomplish the following and report back to the TBPOC in February: <ul style="list-style-type: none"> obtain in writing from TY Lin on how they want to partner with the Program going forward; look into a possible insurance linkage with SAS/ABF; and, develop a recommended insurance proposal for TBPOC consideration.

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Items	Action
<ul style="list-style-type: none"> ➤ Engineering Institute, and working with local service-based nonprofits. ○ The proposed partnership with the Lawrence Hall of Science, which accounts for a majority of the \$260,000 cost, includes developing Bay Bridge-specific educational material for inclusion in classroom workshops, online interactive activities, internships, and others. ○ Identified costs would be drawn from FY 08/09 and FY 09/10 capital outlay support (COS). ○ Bridge design exhibits such as those recently installed in the Autodesk museum will be leveraged as part of the educational program. These and other materials might eventually be exhibited in the planned transportation museum. ○ The Subcommittee is also evaluating a sister bridge relationship with the Sutong Bridge in China. • It was suggested that young students be encouraged to visit Pier 7 and/or the project site, as safety allows, in order to further enhance their tactile experience. • For future consideration, John Barna indicated that that he would talk to CTC members to ascertain synergies amongst educational programs, both existing and future. • Bart Ney requested TBPOC approval to procure funds and proceed with the Pilot Program. 	<ul style="list-style-type: none"> • The TBPOC APPROVED procuring COS funds (\$260,000) for and proceeding with the Pilot Program, as presented. • Bart Ney to provide a Communications Partnership Team (CPT) quarterly update

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Items	Action
<ul style="list-style-type: none"> c. Pier 7 Lease Extension with City of Oakland <ul style="list-style-type: none"> • Tony Anziano presented, for TBPOC approval, a draft Final First Amendment to Pier 7 Settlement Agreement. <ul style="list-style-type: none"> ○ The agreement with the City of Oakland allows the Department to use the Pier until April 17, 2015 in exchange for a one-time payment of \$10,835,283 due December 2008 (with a provision to extend one additional year, if necessary). d. Small Business Participation Program <ul style="list-style-type: none"> • At Will Kempton, the Chair's request, Paul Pendergast of Pendergast & Associates provided handouts and presented, for information, an overview of the "Prime Performance Transportation Infrastructure Program, P-TIP" a reimbursement program to support Small Business (SB) and Disabled Veterans Business Enterprise (DVBE) participation. • While acknowledging there are always ways of improving SB participation, Tony Anziano indicated that there would be funding hurdles to overcome, and expressed reservation about providing compensation for using small businesses. 	<p>to the TBPOC on how the Pilot Program is doing and where it is headed.</p> <ul style="list-style-type: none"> • The TBPOC APPROVED the Pier 7 Settlement Agreement in the amount of \$10,835,283, as presented. • The PMT to further evaluate the program and report back to the TBPOC with their findings and recommendation.
<p>5. SAN FRANCISCO-OAKLAND BAY BRIDGE UPDATES</p> <ul style="list-style-type: none"> e. Self-Anchored Suspension (SAS) Superstructure <ul style="list-style-type: none"> 1) TBPOC/ABF Mitigation and Acceleration Update 	

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Items	Action
<ul style="list-style-type: none">• Andy Fremier introduced, for information and discussion, a summary of the project mitigation and acceleration options and actions discussed at the December 11 TBPOC/ABF partnering session and agreed to in principle, as follows:<ul style="list-style-type: none">○ The PMT to explore options for bringing TY Lin into a closer working relationship with ABF, similar to a design/build type of contract, to facilitate and expedite resolution of design/shop drawing/fabrication issues.○ The PMT and ABF staff to develop a contract change order (CCO) for the ZPMC mitigation proposal negotiated by ABF, based on a 50/50 split of an amount not to exceed \$26 million for 6 months of acceleration, and incentive/disincentive plan.○ The PMT and ABF staff to develop a roadmap toward resolution of known fabrication change impacts by January 2009 and an overall resolution through CCO by February 2009.○ The PMT and ABF staff (with K. Terpstra as lead) to restructure the Core Meetings between ABF and PMT staff to focus on future issues, such as development of a joint Opportunity Schedule looking at further acceleration of the project by April 2009.➤ The enormous impact of ABF's participation in the development of a joint Opportunity Schedule was acknowledged.	<ul style="list-style-type: none">• Staff to determine the incentives to make TY Lin's participation possible, and the cost of achieving the desired ABF/TY Lin working relationship.

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Items	Action
<ul style="list-style-type: none"> • Peter Lee gave a slide presentation of fabrication activity observed during a recent trip to China. <ul style="list-style-type: none"> ○ There have been no signs of work slowdown due to the economic downturn. ○ There has been an impressive improvement in the quality of tower welds. • Tony Anziano also reported that the media request for release of project communications is being handled accordingly – all pertinent parties appropriately advised and talking points in place. 	<ul style="list-style-type: none"> • Staff to provide the TBPOC at the January 2009 meeting a new Fabrication Chart with more detail on shipments 1, 2 and 3.
<p>2) Contract Change Order (CCO) 17, S3</p> <ul style="list-style-type: none"> • Tony Anziano presented, for TBPOC approval, CCO 17, S3 in the amount of \$1.02 million for the continued licensing and maintenance of the project's document management system for the remainder of the SAS contract. <ul style="list-style-type: none"> ○ Sufficient contract contingency funds have been allocated to the contract for the change order. 	<ul style="list-style-type: none"> • The TBPOC APPROVED CCO 17, S3 in the amount of \$1.02 million, as presented.
<p>b. Yerba Buena Island Detour (YBID)</p> <p>1) Update</p> <ul style="list-style-type: none"> • Tony Anziano reported that progress on the project is going in the right direction. • CCM is still not committing, until it is sure, to a Labor Day closure for the East Tie-In (ETI) Roll-Out/Roll-In (RO/RI). <ul style="list-style-type: none"> ○ It was noted that an ETI RO/RI past October 2009 could create a six-month schedule slippage for the 	

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Items	Action
<p>RO/RI due to seasonal/weather conditions.</p> <p>2) Contract Change Orders (CCO's)</p> <ul style="list-style-type: none"> • Tony Anziano presented, for TBPOC approval, the following ETI-related CCO's, and handed out "South-South Detour Contract 04-0120R4 Budget Analysis, September 30, 2008": <ul style="list-style-type: none"> ○ CCO 116-S1, in the amount of \$1,896,750, for design modifications and additional shipping costs pertaining to the fabrication and delivery of the skid bent and beam of the ETI structure. ○ CCO 164, in the amount of \$2,770,000, for the construction of a temporary crane trestle to facilitate the erection of the ETI steel truss. ○ CCO 166, in the amount of \$2,028,950, for the furnishing of the lead core and pot bearings for the ETI structure. ➤ The TBPOC granted an Authority to Proceed (ATP) during the November 14 conference call for an amount not to exceed \$3,000,000. ○ CCO 169, in the amount of \$1,095,020, for the delivery and handling of the steel skid bent and beam from the Contractor's lay down yard staging area to the actual project site. <p>c. Yerba Buena Island Transition Structure (YBITS) No. 1</p> <p>1) Update</p> <ul style="list-style-type: none"> • Tony Anziano indicated that the Department has been monitoring 	<ul style="list-style-type: none"> • The TBPOC APPROVED CCO 116-S1 (\$1,896,750), CCO 164 (\$2,770,000), CCO 166 (\$2,028,950), and CCO 169 (\$1,095,020), as presented.

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Items	Action
<p>the contract specification elements, using the matrix devised as a tracking tool.</p> <p>2) Addendum No. 2</p> <ul style="list-style-type: none"> • Tony Anziano presented, for TBPOC approval, Addendum No. 2 which includes 20 separate, mostly technical, items. <ul style="list-style-type: none"> ○ One element of the addendum is an indemnification clause added for the Joint Venture of TY Lin/Moffat & Nichol Engineers and its sub-consultants. ○ Bid opening date is scheduled for summer of 2009. ○ A pro-con memorandum with a recommendation for the detour demolition and corresponding addendum will be forthcoming from the PMT around April 2009. 	<ul style="list-style-type: none"> • The TBPOC APPROVED Addendum No. 2, as presented.
<p>d. Oakland Touchdown No. 1</p> <p>1) Update</p> <ul style="list-style-type: none"> • Not discussed. <p>2) CCO 75</p> <ul style="list-style-type: none"> • Tony Anziano presented, for TBPOC approval, CCO 75, in the amount of \$3,156,913.76, for a 169-working day extension to the contract completion date to resolve Department-caused delays through December 5, 2008, and handed out "Oakland Touchdown 1 Contract 04-0120L4 Budget Analysis, September 30, 2008". • When queried, Tony Anziano indicated that the contract is trending toward coming in under budget. 	<ul style="list-style-type: none"> • The TBPOC APPROVED CCO 75 in the amount of \$3,156,913.76, as presented.
<p>e. Gateway Park Area (GPA)</p>	

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Items	Action
<ul style="list-style-type: none"> 1) Update <ul style="list-style-type: none"> • Stephen Maller gave an update on recent activities covering: <ul style="list-style-type: none"> ○ geographic scope of the GPA; ○ a sketchbook summarizing the material developed related to access, park development and land use relationships to feed into the Master Plan scope of work; ○ trade scenarios for Caltrans-owned parcels and Oakland's 14-acre Baldwin Yard; and, ○ the next steps toward finalizing the maintenance complex land transaction and holding the Visioning Conference 2 scheduled for February 4, 2009. • Dan McElhinney distributed a handout on "SFOBB Toll Plaza Admin Building and Maintenance Complex Project" for additional information. 	<ul style="list-style-type: none"> • The TBPOC supported having the Department negotiate a trade with the City of Oakland of Caltrans' 6.5-acre (area 11 noted on the map) for the City's 9-acre (area 14) plus under-the- freeway parking rights (5 acres).
<p>8 OTHER BUSINESS</p> <p>a. 2009 Issues</p> <ul style="list-style-type: none"> • John Barna requested this agenda item, involving the primary issues of schedule, partnering and cable, be viewed in a strategic and holistic way, and presented the following questions/concerns: <ul style="list-style-type: none"> ○ If we are losing time, figure out a way where we can improve our position. ○ Every meeting should be about where we are heading in 2009. ○ Look at shipments overall. What needs to happen to make the first shipment in May? ○ Can we get some relief in time and money from YBID, 	<ul style="list-style-type: none"> • The PMT to restructure future TBPOC meeting agendas to focus more on strategic items and move CCO approvals to the consent calendar. • Early next year, the PMT to give a presentation to the TBPOC on the status of the cable erection.

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Items	Action
<ul style="list-style-type: none">OTD1, etc.?○ What is the top metric to measure success by?○ The TBPOC is looking to the PMT to resolve issues and apprise the TBPOC accordingly.	

Adjourned: 1:15 PM

MEETING MINUTES

December 23, 2008, 10:00 AM – 1:00 PM
Mission Bay Office, Conference Room 1906,
325 Burma Road, Oakland

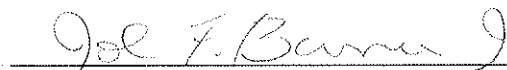
APPROVED BY:



WILL KEMPTON, Director
California Department of Transportation



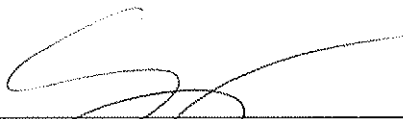
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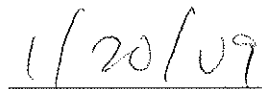
JOHN F. BARNA, Jr., Executive Director
California Transportation Commission



Date



STEVE HEMINGER, Executive Director
Bay Area Toll Authority



Date